

Members

Rep. Dan Stevenson, Chairperson
Rep. Ryan Dvorak
Rep. Robert Alderman
Rep. Eric Turner
Sen. Ron Alting
Sen. Robert Jackman
Sen. Rose Antich
Sen. Allie Craycraft



RAIL CORRIDOR SAFETY COMMITTEE

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Authority: P.L. 28-2000

MEETING MINUTES¹

Meeting Date: August 25, 2003
Meeting Time: 1:00 P.M.
Meeting Place: State House, 200 W. Washington St.,
Room 404
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Rep. Dan Stevenson, Chairperson; Sen. Ron Alting; Sen. Allie Craycraft; Rep. Robert Alderman.

Members Absent: Rep. Ryan Dvorak; Rep. Eric Turner; Sen. Robert Jackman; Sen. Rose Antich-Carr.

1. Introduction of Committee Members and Staff

Representative Stevenson, the Chair, called the meeting to order at 1:40 p.m. He introduced the Committee and the staff. Since a quorum was not present, the Chair said that the Committee would take testimony today and not vote on any matters.

2. Indiana Department of Transportation

The Chair recognized Mr. Larry Goode, Division Chief of Multi-Modal Transportation for the Indiana Department of Transportation (INDOT). Mr. Goode introduced Mr. Steve Hull, Engineering Services Manager, INDOT. Mr. Hull addressed item 2A, the number of grade crossings in Indiana, and item 2B, a five-year history of the number of grade crossings accidents in Indiana, from today's agenda. Mr. Hull distributed a handout - Indiana Rail Network Exhibit A. This exhibit detailed, for 2002, the number of public rail crossings in the state, the number of accidents, the number of fatalities, and the number of injuries. In addition, the exhibit provided data on the number of accidents from 1998-2002, along with the day of the week and the month of the year the accidents occurred. Mr. Hull commented that the high number of

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

crossings in Indiana is the reason for the high number of accidents. Mr. Hull said that in 2003, there were 6,300 total crossings in Indiana. He said that lights and gates help to reduce the number of accidents, but they do not eliminate them. Mr. Hull told the Committee that the number of accidents are down over the last five years.

Representative Stevenson recognized Ms. Venetta Keefe, Project Manager, Rail Grade Crossing Fund, INDOT. Ms. Keefe addressed item 2C of the agenda, the Rail Grade Crossing Fund. Ms. Keefe distributed two handouts. Exhibit B, FY 03 Passive Grade Crossing Grant Awards, listed the entity receiving the award, how the award was used, and the amount of the award. Exhibit C, Passive Grade Crossing Awards FY 1998-2003, details the counties which have received awards. Ms. Keefe told the Committee that INDOT also uses federal funds for lights and gates. Ms. Keefe said that the INDOT receives about \$15 million in federal funds for use at rail grade crossings and for other rail safety matters.

Commenting further about the Rail Grade Crossing Fund, Ms. Keefe said that she has sent out 500 solicitations to local agencies to find out who wants to apply for funding. She said that she has received 47 letters of intent from local agencies. Ms. Keefe said that 1,300 crossings have received improvements as a result of the Rail Grade Crossing Fund. In response to a Committee question, Ms. Keefe said that brush cutting is more expensive than spraying. Ms. Keefe said that railroads are responsible for brush cutting, but the Rail Grade Crossing Fund provides funds because it assists the motoring public.

Ms. Keefe stated that local public agencies may receive money if they request it. Mr. Hull, in response to a Committee question said that federal funds are used for lights and gates which cost hundreds of thousands of dollars, whereby the awards from the Rail Grade Crossing Fund are for lower cost improvements, but can improve more crossings.

Ms. Laurie Maudlin, Chief Fiscal Policy and Federal Affairs Division, INDOT, distributed a letter from the Federal Highway Administration (FHWA), Exhibit D. She said that the INDOT submitted a letter to the FHWA for an environmental study for high-speed rail, but the INDOT request was denied. The FHWA letter, however, suggests how the INDOT and the FHWA might move forward by developing a scope of work that would justify the parameters of the studies, including planning, engineering, and environmental activities.

In response to a question from a Committee member, Mr. Hull said that the reasons that accidents have decreased over the past five years is due to: (1) driver education; (2) law enforcement; and (3) more train-activated signals at busy crossings. Mr. Hull said that lights and gates are installed at the busiest rail crossings. He also said that motorists are likely to drive around gates because there is more traffic. Mr. Hull further commented that for the first five months of 2003, 40% of the accidents were due to motorists driving around gates, according to federal data.

3. Short Line Railroads

Representative Stevenson recognized Ms. Cathy Hale of the Indiana Transportation Group. Ms. Hale said that this group represents short-line railroads. Ms. Hale distributed Indiana Railroad Transportation Group - The Crossing Dilemma, Exhibit E. This exhibit compares and contrasts funding for short-line railroads in Iowa with those in Indiana. Ms. Hale introduced Mr. John Secor, President of the Louisville & Indiana Railroad Co., Mr. Mark Brown, General Manager of the Central Indiana & Western Railroad Co., Mr. Tom Fooks, General Manager of the Indiana Southern Railroad Co., Mr. Richard Neumann, Hoosier Southern Railroad (Perry County Port Authority), and Mr. Tom Fruechtenicht, legislative liaison for the Indiana Transportation Group.

Ms. Hale told the Committee that the INDOT uses Section 130 federal funds for new signals

only. Ms. Hale distributed Railway-Highway Crossings Program Summary, Exhibit F. Ms. Hale said that Iowa uses these funds for many more uses. Ms. Hale said that Iowa dedicates \$1 million annually for surface improvement for short-line railroads. Ms. Hale said that crossing surfaces are a safety issue. She said that 96% of crossing accidents were outside of the control of railroads. Mr. Goode, in response to a Committee question, said that INDOT is doing a lot of passive improvements.

Mr. Hull commented that Section 130 Funds are directed at Class 1 Railroads with high traffic where most of the accidents occur. He said that federal law requires the INDOT to rank the rail crossings in terms of the greatest risk. He said that state law says railroads are responsible for surface and signal maintenance. In commenting further, Mr. Hull said that Iowa does not have as much train traffic as Indiana and does not have a similar number of accidents. Mr. Hull also said that because of the high number of accidents, Indiana must focus on safety. Regarding crossing closures, Mr. Hull said that this is mostly a local Home Rule issue. He said at times INDOT bargains with local units. That is, INDOT wants closures for a certain rail crossing and is willing to install lights and gates at another crossing. He said that there are between 6 and 12 closures per year out of 80 projects done each year.

In response to a Committee question regarding signal installation, Mr. Hull said that there are between 80 and 90 new signal installations per year. The cost for signal installation (lights and gates) amounts to approximately \$160,000 per crossing.

4. Report from the Railroad Industry on Rail Grade Crossing Issues - Tom Kinser, State Coordinator for Indiana Operation Lifesaver

Next to address the Committee was Mr. Tom Kinser, State Coordinator for Indiana Operation Lifesaver. Mr. Kinser distributed a handout entitled Look, Listen, and Live Operation Lifesaver, Exhibit G. Mr. Kinser said that Operation Lifesaver is a nonprofit public information and education program dedicated to reducing crashes, injuries, and fatalities at highway-rail grade crossings. Operation Lifesaver is a nationwide effort with active programs in 49 states and Canada, with a national office in Washington, D.C. Mr. Kinser said that crossing closures limit exposures and reduce accidents. He said that since Operation Lifesaver started tracking accidents in 1980, there has been a 73% reduction in car-train accidents. Mr. Kinser also said that 90% of the fatalities occur where there are automated signals. He said that education is the key to reducing accidents, especially as more lights and gates are installed. Mr. Kinser listed three important elements of reducing accidents: (1) enhanced limiting of exposure through lights and gates, and signs; (2) education; and (3) enforcement. He said that signals are important, but they are not the only thing that needs to be done. Mr. Kinser said that there is a need for advance warning signs and brush clearing.

5. Suggested Issues for Review

Representative Stevenson asked Committee members if they had any issues which they would like to review during this interim. The Chair said that he would like to review the court ruling which stated that the City of Hammond could not ticket a train if it blocked a crossing for five minutes. He said that the court ruling stated that Indiana statutes require ten minutes before a ticket may be issued. Representative Stevenson said that he wants either Home Rule or to change the statutes to five minutes.

The Chair adjourned the meeting at 2:50 p.m.